

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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2005 MAY 12 P 3:05

LAURIE GILBERT,
Plaintiff,
v.
JOHN HEGGARTY, ET AL.,
Defendants

05-10746-RWZ

U.S. DISTRICT COURT
DISTRICT OF MASS

**JOINT STATEMENT SUBMITTED PURSUANT TO
FED. R. CIV. P. 26(f) AND LOCAL RULE 16.1**

Pursuant to Fed.R.Civ.P. 26(f), Local Rule 16.1 and this Court's Notice dated May 2, 2005, the plaintiff Laurie Gilbert and the defendants John Heggarty and Timothy B. Dube submit this joint statement and proposed pre-trial schedule.

I. Agenda for Scheduling Conference

The parties propose that the agenda for the June 1, 2005, initial scheduling conference include discussion of the following:

- a. Settlement; and
- b. The parties proposed joint discovery plan.

As required under Fed.R.Civ.P 26(f) and Local 16.1(B), counsel conferred on May 11, 2005, to establish the proposed agenda and pre-trial schedule.

II. Joint Discovery Plan

A. Initial Disclosure

In accordance with Local Rule 26.2(a) and this Court's Order, the parties anticipate completing the disclosure of relevant documents and information as required by Fed.R.Civ.P 26(a)(1) on or before June 15, 2005.

B. Fact Discovery Deadline

The parties propose that all fact discovery, including depositions, be completed by May 1, 2006.

C. Written Discovery Requests

The parties propose that written discovery requests to a party may be served at any time after the scheduling conference, provided that the party serving such requests has first made the initial disclosures required by Local Rule 26.2(A). All written discovery requests, including requests to admit under Fed.R.Civ.P. 36, must be served so that responses are due no later than February 1, 2006.

D. Depositions

The parties propose that they may notice and take depositions at any time after the scheduling conference, providing that the party has first made initial disclosures required by Local Rule 26.2(A).

E. Expert Disclosure and Discovery

At this point, the parties do not anticipate the need for expert witnesses. Depositions of expert witnesses may be taken as provided in Fed.R.Civ.P. 26 before February 1, 2006.

III. Filing of Motions

The parties propose that all amendments to pleadings and joinder of additional parties shall be served no later than January 1, 2006.

The parties propose that any motions under Fed.R.Civ.P. 56 must be filed on or before June 1, 2006, and opposition papers to such motions shall be served pursuant to the Federal Rules of Civil Procedure.

IV. Proposed Conferences With Court and Final Pre-Trial Conference

The parties propose that the Court schedule a status conference in January 2006. The parties also agree to the scheduling of a final pre-trial conference within forty-five (45) days of receipt of a decision of any pending dispositive motions, if dispositive motions are filed. Otherwise, the parties propose that the final pre-trial conference be scheduled in July 2006.

V. Trial by Magistrate Judge

The parties do not consent to trial by magistrate judge at this time.

VI. Compliance with Local Rule 16.1(D)(3)

Plaintiff's Local Rule 16.1(D)(3) certification will be filed at the scheduling conference.

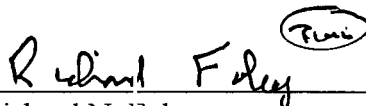
Defendant's Local Rule 16.1(D)(3) certification will be filed at the scheduling conference.

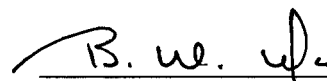
Respectfully submitted,

For the Plaintiff,
Laurie Gilbert,

By her attorney,

For the Defendants,
**John Heggarty and
Timothy B. Dube,**
By their attorneys,


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